

THESE APPLICATIONS ARE CONFIDENTIAL. LOCK UP AND E-MAIL DIVISIONS FOR REVIEW

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY - CONSTRUCTION
TO CONSTRUCT ANTENNA TOWERS FOR CELLULAR TELECOMMUNICATIONS SERVICES
OR PERSONAL COMMUNICATIONS SERVICES IN COUNTIES
(OTHER THAN JEFFERSON) WITH A PLANNING COMMISSION**

Filing Requirements Checklist

(Applicable Authority: KRS 278.040(3), 278.020(1), 278.650, 278.665, and 807 KAR 5:063)

Case No. _____ Utility Name _____ Received Date _____ Form Circulation Date _____

Instructions:

- 1) Each Division noted by checkmark () is to complete its review and pass on within two days of receipt.
- 2) This form is to list only the specific filing deficiencies as identified in the regulations. If additional information is needed, an information request must be issued.
- 3) Staff member should use initials and list date review is completed.
- 4) Return to Docket Section following review by all Divisions.

Reviewed by Following Divisions:

		<u>Staff Member</u>	<u>Date</u>
_____	Filings Division	_____	_____
_____	Financial Analysis	_____	_____
_____	Engineering	_____	_____
_____	Legal	_____	_____

<u>Division</u> <u>Responsible</u>	<u>Law/Regulation</u>	<u>Filing Requirement</u>	<u>Requirement</u> <u>Met</u>	<u>Waiver</u> <u>Requested</u>	<u>Approve</u> <u>Waiver?</u>
			<u>YES</u> <u>NO</u>		<u>YES</u> <u>NO</u>

807 KAR 5:063,
Section 4(1)

Filings Division		Full name and post office address of applicant and a reference to the particular provision of law requiring Commission approval.	_____	_____	_____	_____	_____
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Filings Division		An original <u>only</u> of the full application.	_____	_____	_____	_____	_____
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Filings Division	Section 5(1)	The application is entitled "Uniform Application: Confidential and Proprietary," and the title is printed beneath the case caption in bold face type that is at least as large as any other type appearing on the document.	_____	_____	_____	_____	_____
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<u>Division Responsible</u>	<u>Law/Regulation</u>	<u>Filing Requirement</u>	<u>Requirement Met</u>		<u>Waiver Requested</u>	<u>Approve Waiver?</u>	
			<u>YES</u>	<u>NO</u>		<u>YES</u>	<u>NO</u>
Filings Division	Section 5(2)	The filing includes an original and five (5) copies of an additional page which is labeled, in bold type, "For the Public Record," and which contains the case caption and states the specific location of the proposed construction.	—	—	—	—	—
Legal	Section 4(1)	If applicant is a corporation, a certified copy of the Articles of Incorporation and all amendments thereto <u>or</u> if the articles were filed with the PSC in a prior proceeding, a reference to the style and case number of the prior proceeding.	—	—	—	—	—
Engineering		The facts relied upon to show that the proposed new construction is or will be required by public convenience or necessity.	—	—	—	—	—
Engineering		Copies of franchises or permits, if any, from the proper public authority for the proposed new construction or extension, if not previously filed with the commission.	—	—	—	—	—
Engineering		A full description of the proposed location, route, or routes of the new construction or extension, including a description of the manner in which same will be constructed, and also the names of all public utilities, corporations, or persons with whom the proposed new construction or extension is likely to compete.	—	—	—	—	—
Engineering		A map to suitable scale (preferably not more than two (2) miles per inch) showing the location or route of the proposed new construction or extension, as well as the location to scale of any like facilities owned by others located	—	—	—	—	—

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			<u>YES</u>	<u>NO</u>		<u>YES</u>	<u>NO</u>
	807 KAR 5:063 Section 4(1)	anywhere within the map area with adequate identification as to the ownership of such other facilities.					
		All other information necessary to afford the commission a complete understanding of the situation.	—	—	—	—	—
Engineering		A copy of the utility's applications to the Federal Aviation Administration and Kentucky Airport Zoning Commission	—	—	—	—	—
Engineering		A copy of the utility's application to, and authorization from, the Federal Communications Commission, if applicable;	—	—	—	—	—
Engineering		A geotechnical investigation report, signed and sealed by a professional engineer registered in Kentucky, that includes boring logs, foundation design recommendations, and a finding as to the proximity of the proposed site to flood hazard areas (findings re: flood hazard proximity may be prepared by a land surveyor);	—	—	—	—	—
Engineering		Clear directions from the county seat to the proposed site, including highway numbers or street names, and the telephone number of the preparer of the directions;	—	—	—	—	—
Legal		The lease or sale agreement for the property on which the tower is proposed to be located (may be in abbreviated form if so filed with county clerk, but if a lease, must include copy of lease provision that the tower will be dismantled when no longer used);	—	—	—	—	—
Engineering		The identity and qualifications of each person directly responsible for the design and construction of the proposed tower;	—	—	—	—	—

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			YES	NO		YES	NO
	807 KAR 5:063 Section 4(1)						
Engineering		A site development plan or survey, signed and sealed by a professional engineer registered in Kentucky, that shows the proposed location of the tower and all easements and existing structures within 500 feet of the site on the property on which the tower will be located and all easements and existing structures within 200 feet of the access drive, including the intersection with the public street system;	___	___	___	___	___
Engineering		A vertical profile sketch of the tower, signed and sealed by a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas;	___	___	___	___	___
Engineering		The tower and foundation design plans and a description of the standard according to which the tower was designed, signed and sealed by a professional engineer registered in Kentucky;	___	___	___	___	___
Engineering		A map, drawn to a scale no less than 1 inch equals 200 feet, that identifies every structure and every owner of real estate within 500 feet of the proposed tower	___	___	___	___	___
Legal	807 KAR 5:063 Section 4(4)	A statement as to whether the construction is proposed for an area outside the incorporated boundaries of a city or within the rural service area of an urban county.	___	___	___	___	___
Legal	807 KAR 5:063 Section 4(1)	A statement that every person who, according to property valuation administrator's records, owns property within 500 feet of the proposed tower and, if the tower is proposed for an area outside the incorporated boundaries of a city or within a rural service area in an urban-county, every person who owns property contiguous to the property upon which the construction is proposed, has been:	___	___	___	___	___
		Notified by certified mail, return receipt requested, of the proposed construction;	___	___	___	___	___

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			<u>YES</u>	<u>NO</u>		<u>YES</u>	<u>NO</u>
		Given the Commission docket number under which the application will be processed; and	—	—	—	—	—
		Informed of his right to request intervention	—	—	—	—	—
Legal	807 KAR 5:063 Section 4(1)	A list of the property owners who received the notice, together with copies of the certified letters sent to listed property owners;	—	—	—	—	—
	807 KAR 5:063 Section 4(1)						
Legal		A statement that two written notices, at least 2' x 4', one in a visible location on the proposed site and one on the nearest public road have been, and shall remain, posted for at least two weeks after the application has been filed.	—	—	—	—	—
Legal		The notice on the site must state: "(Name of utility) proposes to construct a telecommunications ('tower' or 'monopole') on this site. If you have questions, please contact (name and address of utility) or the Executive Director, Public Service Commission, 211 Sower Boulevard, P. O. Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence. You may also contact your local planning commission. The Public Service Commission in its review of the proposed construction shall not consider the character of the general area concerned or the likely effects of the installation on nearby land uses and values if the local planning commission conducts a review of the proposed construction."	—	—	—	—	—
Legal		The notice posted on the nearest public road must state: "(Name of utility) proposes to construct a telecommunications ('tower' or 'monopole') near this site. If you have questions, please contact (name and address of utility) or the Executive Director, Public Service Commission, 211 Sower Boulevard, P. O.	—	—	—	—	—

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			<u>YES</u>	<u>NO</u>		<u>YES</u>	<u>NO</u>
		Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence. You may also contact your local planning commission. The Public Service Commission in its review of the proposed construction shall not consider the character of the general area concerned or the likely effects of the installation on nearby land uses and values if the local planning commission conducts a review of the proposed construction."					
	Section 4(1)						
Legal		In both posted notices, the word "tower" or "monopole" shall be printed in letters at least four (4) inches high.	___	___	___	___	___
Legal		A statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed;	___	___	___	___	___
Legal		A brief description of the character of the general area in which the tower is proposed to be constructed, which includes the existing land use for the specific property involved;	___	___	___	___	___
Engineering		A statement that the utility has considered the likely effects of the installation on nearby land uses and values and has concluded that there is no more suitable location reasonably available from which adequate service to the area can be provided, and	___	___	___	___	___
		that there is no reasonably available opportunity to co-locate, including documentation of attempts to co-locate, if any, with supporting radio frequency analysis, where applicable, and a statement indicating that the utility attempted to co-locate on towers designed to host multiple wireless service providers' facilities or existing structures, such as a telecommunications tower, or another suitable structure capable of supporting the utility's facilities.	___	___	___	___	___
Engineering		A map of the area in which the tower is	___	___	___	___	___

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			<u>YES</u>	<u>NO</u>		<u>YES</u>	<u>NO</u>
		proposed to be located, that is drawn to scale and that clearly depicts the search area in which a site should, pursuant to radio frequency requirements, be located					
Engineering	KRS 100.987(2); 807 KAR 5:063 Section 4(2)	A grid map that shows the location of all existing cellular antenna towers and that indicates the general position of proposed construction sites for new cellular antenna towers within an area that includes: 1. All of the planning unit's jurisdiction; and 2. A one-half (½) mile area outside of the boundaries of the planning unit's jurisdiction, if that area contains either existing or proposed construction sites for cellular antenna towers.	___	___	___	___	___
Legal	807 KAR 5:063 Section 4(3)	A statement that the planning unit has not registered with the PSC to regulate the siting of antenna towers <u>and</u> has been sent notice of the proposal and informed of its right to request intervention, <u>or</u> A statement that the planning unit has officially registered with the PSC to regulate the siting of antenna towers and that a copy of the completed uniform application has been, or will be, sent to the planning unit no later than five (5) days after the date the application is submitted to the PSC.	___	___	___	___	___
			___	___	___	___	___